

## State Senator Stan Clark

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205 US Highway 83  
Oakley, KS 67748

January 25, 2002

Judge Kolar-Kottely  
Attn: Renata Hesse, Antitrust Division, U.S. Department of Justice  
601 D Street, N.W., Suite 1200  
Washington, D.C. 20530

Dear Judge Kolar-Kottely,

This is a difficult time for our nation as we face economic hardship we have not seen in a decade. As a state senator, I know the difficulties that come with this economic downturn. My own state of Kansas is facing budget shortfalls and the threat of increased taxes as a result.

I understand that the economic situation is the result of a number of elements that together have culminated in a recession. Some of these elements, like the attacks on America on September 11<sup>th</sup>, were beyond our immediate control. Others elements, like the monetary policy of the Federal Reserve are controlled directly by the government. The US Department of Justice's antitrust suit against Microsoft is another event that contributed to our economic downturn at the hands of our own government.

There is quite a pool of evidence that demonstrates that specific events during the government's case against Microsoft had a direct correlation to the state of the stock market. Upon Judge Jackson's "findings of fact" against Microsoft, the NASDAQ fell. Upon his recommendation for splitting up the company, there was another NASDAQ freefall.

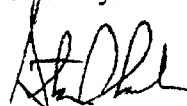
The lawsuit against Microsoft may seem to be a small part of the whole economic picture, but it is difficult to deny that the case has had a negative economic impact – and on one of the driving sectors of our economy: the high-tech industry.

When the high-tech industry is ailing, the rest of the economy suffers as well. Technology is so integrated into our daily lives that we sometimes forget just how dependent up on it we are. Thus the ripple effect through the economy. When high-tech hurts, everybody hurts.

From what I understand of the settlement accord the Department of Justice, state attorneys general and Microsoft Corp have agreed to, the major concerns of the government have been addressed; yet Microsoft is kept from breakup and allowed to continue to be an innovator in our high-tech industry.

I hope you take a valuable step forward for our national economy by lending your approval to this settlement. It is a timely and appropriate way to end this suit and allow our country's economy to begin to repair itself.

Sincerely,



Sen. Stan Clark